IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 15194 of 2004

Between:

Kanneboina Sailoo S/o Late Vittalaiah
R/o Aunkushapur Village, Ghatkeshar Mandal, Ranga Reddy District

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District, at Lakdikapool, Hyderabad
2 The Mandal Revenue Officer Ghatkesar Mandal, Ranga Reddy District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in not disposing of the File No. B2/5610/2002 as bad, arbitrary, illegal and unjust and consequently direct the 2nd respondent to dispose of the file No. B2/5610/2002 at the earliest.

Counsel for the Petitioner:MR.G.NARASIMHA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

The complaint of the petitioner in the present writ petition is that he filed E.P.No.9 of 1990 in O.S.No.282 of 1983 before the Principal Junior Civil Judge, East and North, Ranga Reddy district, for execution of the sale deed in his favour and accordingly, obtained registered sale deed in his favour. Thereafter, he filed a representation dated 07-10-2002 before the second respondent-Mandal Revenue Officer, Ghatkesar, Ranga Reddy District, for necessary mutation in the revenue records and delivery of possession. Again, in the month of April 2003, he filed a petition under Section 5-A of the A.P. Rights in Land and Pattedar Passbooks Act, 1971 (for short "the Act") before the second respondent to issue pass book as well as title deed as per the sale deed executed in his favour in April, 1992 but so far no orders as such, have been passed as per the provisions of the Act. Hence, the present writ petition.

Suffice it to say that the revenue officials only can mutate the name in the revenue records as per the registered sale deed got executed in favour of the petitioner by the Executing Court and it is for the Executing Court to deliver possession of the property but not by the revenue officials.

In view of the same, the second respondent is directed to consider the representation of the petitioner in accordance with the provisions of the Act and Rules made thereunder and pass appropriate orders after due notice to the parties, who were likely to be affected due to change of entries in the revenue records and then, mutate petitioner's name, within a period of three months from the date of

receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

26th AUGUST, 2004.

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